C.J.'s Court

Writ Petition No. 2466(M/S) of 2001

Km. Deepti Chaudhary
and two others ..... Petitioner

Vs

The Secretary, Madhyamik Shiksha
Parishad, U.P. Allahabad and one
Another ..... Respondents

.....

Hon. A.A. Desai, C.J.
Hon. Irshad Hussain, J.

Heard Sri Mangal Singh Chauhan, learned counsel for the petitioners, Sri B.S. Verma, learned S.C. Government of U.P. and learned C.S.C.

The petitioners have appeared in Intermediate examinations which was earlier conducted by the U.P. Board. The grievance of the petitioners is that the Board has set up different papers for different regions and there was no parity in the questions asked in different regions. This has created hardship and petitioners could not secure appropriate marks. On this grievance we issued notices.

Learned C.S.C. made a statement that such practice was prevailing in the erstwhile State of U.P. This practice was a device to prevent unfair practices at the time of examination. However, looking to the question of uniformity and parity, learned C.S.C. made a statement that he has advised to the newly constituted Uttaranchal Secondary Board of Examination to have paper setting with uniformity throughout and it shall be adhered to. This has substantially redressed the grievance of the petitioners.

At this stage, Sri M.S. Chauhan, learned counsel for the petitioners, urged that the petitioners, who have appeared in the examination conducted by U.P. Board where different papers were set are entitled for grace marks of 15 numbers.

No doubt, it is true that different papers were set, but it can not be successfully urged that disparity was so substantial that the petitioners suffered from difficulty so as to claim grace marks. We, therefore, do not propose to entertain the relief of grace marks.

In view of the statement earlier as recorded by us, we dispose of this petition.

(A.A. Desai, C.J.)
(Irshad Hussain, J.)

21.09.2002
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